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Pro- and Anti-Brady Studies Agree:

“Brady Handgun Violence Prevention Act” Does Not Prevent Handgun Violence

**“We don’t know exactly how many lives may be saved . . . But we do know this:
lives will be saved.”** — *Then Rep. Charles Schumer, on the newly passed
“Brady Handgun Violence Prevention Act,” 3/3/94*

Politicians from Representative Schumer to Vice President Al Gore promised the inaptly titled “Brady Handgun Violence Prevention Act” would reduce the number of firearms fatalities. In states where background checks were not already required for gun purchases, the Brady law mandated a background check and a five-day waiting period. Since then, studies have found background checks and waiting periods *do not* stop criminals from getting or using guns. The most recent study to suggest this comes from *proponents* of these measures.

The Brady Act vs. Concealed-Carry Laws

John R. Lott, Jr., a research scholar at Yale University, has conducted the most comprehensive research undertaken on the subject of gun laws and their effect on crime rates. Lott found “waiting periods and background checks appear to produce little if any crime deterrence” (*More Guns, Less Crime*, p. 162). This includes murder, notwithstanding then Representative Schumer’s assurances. Examining crime data through 1996, Lott concluded:

- “While the [data] indicate that the [Brady] law resulted in more murders and robberies but fewer aggravated assaults and as a consequence fewer overall violent crimes, none of those effects are even close to being statistically significant” (p. 199).

However, Lott found implementation of the Brady law was accompanied by a statistically significant increase in rapes:

- “Among the violent crime categories, the Brady law is only significantly related to rape, which increased by 3.6 percent after the law passed” (p. 199).

Lott suggests why this may be so:

- “[T]o the extent that law-abiding citizens find it more difficult to obtain guns, they may be less able to defend themselves. For example, a woman who is being stalked may no longer be able to obtain a gun quickly to scare off an attacker. Numerous newspaper accounts tell of women who were attempting to buy guns because of threats by former lovers and were murdered or raped during the required waiting period” (p. 91).

Lott also reports that even before the law passed, “overwhelming percentages” of police officers and chiefs “rejected claims that the Brady law would lower the crime rate.” Lott offers possible reasons, including criminals’ continued ability to obtain guns by other means.

On the other hand, Lott found that laws allowing citizens to carry concealed weapons are associated with *dramatic reductions* in violent crime.

- Within three years of enactment of concealed-handgun laws, **murder rates fell by 5 percent, and rape, robbery, and aggravated assault rates fell by about 9 percent.**

Lott even took the unusual step of making his data available to other academics, many of whom have replicated and even lent additional support to his findings.

Brady Law Proponents: Ludwig, Cook, JAMA

Among Lott’s harshest critics have been anti-self-defense academics Professors Jens Ludwig and Philip J. Cook. In a study funded by the anti-self-defense Joyce Foundation and published in the *Journal of the American Medical Association (JAMA)* they set out to debunk Lott’s findings regarding the Brady law. There was just one problem: *they couldn’t*.

- “Our analyses provide **no evidence that implementation of the Brady Act was associated with a reduction in homicide rates**” (p. 588).

The authors found the Brady Act to be associated with a small decrease in gun suicides by people age 55 and over, but that effect was diminished by the substitution of other methods of suicide.

However many academics find that background checks and waiting periods do not reduce crime, these findings mean more coming from supporters of such measures. Coupled with Lott’s assessment of concealed-carry laws, the mounting research confirms society has little to fear from respecting law-abiding citizens’ unfettered right to defend themselves.

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Sources:

Jens Ludwig, Ph.D.; Philip J. Cook, Ph.D., “Homicide and Suicide Rates Associated With Implementation of the Brady Handgun Violence Prevention Act,” *Journal of the American Medical Association*, Vol. 284, No. 5, August 2, 2000, p. 585 [www.jama.ama-assn.org/issues/v284n5/abs/joc91749.html]

John R. Lott, Jr., *More Guns, Less Crime*, University of Chicago Press (Chicago: 2000).